

# **Citywide Rezoning Petition Ordinance as Adopted**

## **Part IV – Revisions to Parking Requirements**

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A. Amend certain provisions of Section 6.30 to read as follows.

A1. Amend Section 6.31.2 by deleting the existing text and substituting therefor the following:

6.31.2 In general the schedule in Subsection 6.36 specifies a minimum requirement, but in some instances a maximum amount of parking is stipulated [Example: for a general office use (6.36.4 d) in a Business C district, the minimum requirement is one space per 800 square feet of gross floor area and the maximum is one space per 400 square feet of gross floor area.] Where there are two such listings the first is the minimum requirement and the second is the maximum limitation. Relief from both the minimum parking requirement and maximum parking limitation may be obtained only after the grant of a special permit as provided in Section 6.35 below. With the grant of a special permit the maximum parking limitation may be exceeded provided, however, that the provisions with regard to gross floor area as set forth in Section 6.31.3 are met.

A2. Delete the existing text of Section 6.35 and substitute therefor the following:

6.35 Relief from Parking Requirements

Any required amount of parking may be reduced by issuance of a special permit from Board of Zoning Appeals, as provided below. However, handicapped parking required by Subsection 6.34, bicycle parking required by Subsection 6.37, and commercial vehicle parking required by Subsection 6.31.5 shall not be reduced from the original requirement. The parking maximum limitation may be exceeded only with the grant of a special permit from the Planning Board, as provided below, subject to the provisions with regard to Gross Floor Area as provided in Section 6.31.3.

6.35.1 Reduction of Required Parking

Any minimum required amount of parking may be reduced only upon issuance of a special permit from the Board of Zoning Appeals. A special permit shall be granted only if the Board determines and cites evidence in its decision that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood, or that such lesser amount of parking will provide positive environmental or other benefits to the users of the lot and the neighborhood, including specifically, among other benefits, assisting in the provision of affordable housing units. In making such a determination the Board shall also consider whether or not less off street parking is reasonable in light of the following:

- (1) The availability of surplus off street parking in the vicinity of the use being served and/or the proximity of an MBTA transit station.

- (2) The availability of public or commercial parking facilities in the vicinity of the use being served provided the requirements of Section 6.23 are satisfied.
- (3) Shared use of off street parking spaces serving other uses having peak user demands at different times, provided that no more than seventy-five (75) percent of the lesser minimum parking requirements for each use shall be satisfied with such shared spaces and that the requirements of Subsection 6.23 are satisfied.

Example: Office and Theatre uses with peak user demands at different times. Office requires a minimum of one hundred and fifty (150) spaces and the theatre requires a minimum of one hundred (100). Seventy five (75) percent of the lesser minimum requirement is seventy five (75) (75% of 100). Therefore seventy five (75) spaces can be shared but twenty five (25) (100-25) would still be required, making the total amount or required parking for both uses (150 + 25) one hundred and seventy five (175).

- (4) Age or other occupancy restrictions which are likely to result in a lower level of auto usage; and
- (5) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, or loss of pedestrian amenities along public ways.
- (6) The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and Dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.

#### **6.35.2 Exceeding Maximum Allowed Parking.**

Any maximum allowed amount of parking may be exceeded only upon issuance of a special permit from the Planning Board. Any parking area in excess of the maximum limitation will have an impact on calculation of gross floor area as provided at Section 6.31.3. The Planning Board shall grant a special permit to allow exceedance of a maximum limitation only upon making the following determinations:

- (1) Reasonable parking and transportation demand management measures are being implemented to reduce the need for the additional off street parking;

- (2) The additional spaces reflect parking demand that exceeds that which is common for this use as categorized in Section 6.36, owing to unique characteristics of the users or the activity that result in a high level of automobile parking demand;
- (3) The additional parking demand cannot reasonably be accommodated through contract or other arrangement making use of available off-site parking;
- (4) The additional parking will provide positive environmental or other benefits to the users of the lot, to the neighborhood and the City which outweigh adverse effects, after consideration of the following: congestion, traffic increases on residential streets, danger to public safety or deterioration of travel conditions for pedestrians, cyclists or users of public transit.

In its decision the Planning Board shall cite evidence supporting its determinations, and may impose such conditions as are necessary to mitigate all negative impacts on the neighborhood and the environment which would otherwise result from the greater allowed amount of parking.

B1. Amend those portions of Section 6.36 - Schedule of Parking and Loading Requirements so that they read as follows.

Land Use Category	Open Space, Res A-1, A-2, Res B (space/ square feet)	Res C, C-1, Off 1, Bus A (comm), Bus A-1, A-2, Ind A-1, Ind C (space/square feet)	Bus C, C-1, Ind A, Off 2, Res C-2, C-2A, C-2B, Ind B-2, Bus A (res) (space/square feet)	Ind B-1, Res C-3, C-3A, Off 3-A, 3, Bus B, Ind A-2, Ind B, Bus B-1, B-2 (space/square feet)	Loading Facility Category
6.36.3 Office and Laboratory Uses					
d. General Office Use	n/a (as existing)	1 per 800 sq. ft. (modified from 1 per 600) 1 per 400 sq. ft. (modified from 1 per 300)	1 per 800 sq. ft. (as existing) 1 per 400 sq. ft. (as existing)	1 per 1000 sq. ft. (as existing) 1 per 500 sq. ft. (modified from 1 per 670)	F (as existing)
f. Technical office for research and development laboratory or research facility subject to the restrictions in section 4.21(m)	n/a (as existing)	1 per 1050 sq. ft. (modified from 1 per 600) 1 per 525 sq. ft. (modified from 1 per 300)	1 per 1050 sq. ft. (modified from 1 per 800) 1 per 525 sq. ft. (modified from 1 per 400)	1 per 1340 sq. ft. (modified from 1 per 1000) 1 per 670 sq. ft. (as existing)	F (as existing)